

JUNE 2026 MONTHLY CASE LAWS

1. Mallika v. R. Nallathambi & Ors: 2026 INSC 529.

Facts of the Case

- Properties in dispute:
 - Agricultural land at Kalapatty Village, Coimbatore Taluk.
 - Purchased by appellant Mallika in 1996 through registered sale deeds.
- Appellant's claim:
 - Executed two GPAs in 1997 and 1998 only as collateral security for loans of ₹2 lakhs and ₹5 lakhs at 18% interest.
 - Original title deeds were handed over merely as security.
 - Alleged that respondents misused GPAs to execute sale deeds in favor of their relatives.
- Respondents' defense:
 - Asserted that the GPAs and subsequent sale deeds were genuine transactions with full consideration paid.
 - Claimed possession and subsequent transfers were valid.

Legal Issues

- Whether the GPAs executed by the appellant were collateral securities for loans or genuine sale transactions.
- Whether the High Court correctly dismissed the appellant's second appeal under Order XLI Rule 31 CPC.

Court's Reasoning

- The First Appellate Court had reappreciated oral and documentary evidence and reversed the Trial Court's decree.
- The appellant failed to produce documentary proof of loan repayment or interest payments.
- The appellant did not enter the witness box despite alleging fraud and forgery, leading to an adverse inference.
- The sale deeds and mutation entries supported the respondents' claim of genuine transactions.
- Delay in filing suit (instituted in 2008, years after alleged misuse) weakened the appellant's case.

Final Holding

- The Supreme Court dismissed the appeal.
- It held that the appellant failed to establish that the GPAs were executed merely as loan security.

- The transactions were upheld as valid sale deeds, confirming the High Court and First Appellate Court's judgments.

2. **Shahul Hameed Vs. N. Malligarjuna and Ors.:2026 INSC 573 –**

Facts of the Case

- On 19 March 2010, the plaintiff (*Shahul Hameed*) entered into a sale agreement with the defendants for property in Survey No. 75/12.
- Sale consideration: ₹9,30,000.
 - ₹9,00,000 paid upfront as earnest money.
 - Balance ₹30,000 payable at the time of registration.
- Plaintiff claimed he was ready and willing to perform his part and issued a legal notice on 1 February 2011 demanding execution of the sale deed.
- Defendants denied the claim, arguing:
 - The agreement was nominal, executed only as a security document.
 - It was linked to an earlier transaction with "Bangalore Buyers" in 2009.
- Plaintiff filed OS No. 35 of 2011 seeking specific performance of the agreement.

Facts in Issue

- a. Whether the sale agreement dated 19.03.2010 was a genuine enforceable contract or merely a security/nominal document.
- b. Whether the plaintiff had established readiness and willingness to perform his obligations under the agreement.
- c. Whether the plaintiff was entitled to specific performance or only to a refund of the money paid.

What the Court Held

- Trial Court: Dismissed the suit for specific performance, finding inconsistencies in plaintiff's conduct.
- First Appellate Court: Ordered refund of ₹9,30,000 with 12% interest per annum from 2011.
- Madras High Court: Affirmed appellate court's decree, denying specific performance but upholding refund with interest.
- Supreme Court (Justice Sanjay Karol, 2026):
 - Plaintiff failed to prove continuous readiness and willingness beyond initial payment.
 - Delay in issuing notice and lack of evidence of arranging balance amount weakened his case.
 - Circumstances supported defendants' claim that the agreement was nominal/security, not a genuine sale contract.
 - Equity required refund of money with interest, not enforcement of sale.

Final Holding

- Specific performance denied.
- Defendants directed to refund ₹9,30,000 with 12% interest per annum from 10 March 2011 until realization.
- Supreme Court upheld the High Court's decree and dismissed the appeal.

3. Mondira Ghosh v. Chaitali Ghosh: 2026 INSC 545.

Facts of the Case

- Plaintiff: Mondira Ghosh filed Title Suit No. 1527 of 2022 before the City Civil Court, Calcutta.
- Relief sought: Declaration that defendant Chaitali Ghosh was in unlawful possession of the suit premises, eviction, damages, and costs.
- Defendant's original stand (08.12.2022): Claimed to be a bonafide co-sharer of the property.
- Trial progress:
 - Issues framed on 17.05.2023.
 - Plaintiff's witness (PW-1) examined and cross-examined on 18.12.2023, 18.03.2024, and 24.07.2024.
- Defendant's application (2025): Filed under Order 8 Rule 9 CPC seeking to file an additional written statement with a counterclaim, now claiming to be a tenant under the plaintiff.
- Trial Court (17.06.2025): Rejected the application, holding that the defendant was attempting to introduce an inconsistent plea after commencement of trial.

Facts in Issue

1. Whether the defendant could be permitted to file an additional written statement after trial had commenced.
2. Whether the defendant could change her stand from being a co-sharer to claiming tenancy.
3. Whether the High Court was justified in allowing such a pleading under Article 227 of the Constitution.

Court's Reasoning

- Order 8 Rule 9 CPC: No pleading shall ordinarily be presented after filing of a written statement unless it is in response to a set-off or counterclaim.
- Order 6 Rule 7 CPC: No pleading shall raise a new ground of claim or contain allegations inconsistent with earlier pleadings, except by way of amendment.
- The defendant's attempt to change her stand from co-sharer to tenant was contradictory and inconsistent.

- The High Court erred in permitting the additional written statement despite acknowledging that the proviso to Order 6 Rule 17 CPC bars amendments after commencement of trial.
- The Supreme Court held that the defendant's application was an abuse of process, aimed at bypassing procedural safeguards.

Final Holding

- Appeal allowed.
- Supreme Court set aside the Calcutta High Court's order dated 03.09.2025.
- Restored the Trial Court's order dated 17.06.2025, rejecting the defendant's application.
- Defendant cannot be allowed to change her stand and file an additional written statement at an advanced stage of trial.

4. Pushpa & Ors. Vs. Dayawati & Ors.: 2026 INSC 603-

The Supreme Court upheld the Delhi High Court's decree directing recovery of ₹44,79,167 with interest against the late Daya Ram (father of the appellants), based on his written admission of receiving ₹3 crores from ancestral property sale proceeds. The Court confirmed that Dayawati, as a daughter, was entitled to her rightful share in the partition and sale proceeds of family property.

Facts of the Case

- Family background:
 - Shis Ram (Defendant No.1) and Chameli (Defendant No.2) had five children:
 - Dayawati (Plaintiff/Respondent No.1)
 - Daya Ram (Defendant No.3, now deceased)
 - Har Prasad (Defendant No.4)
 - Ramrati (Defendant No.5)
 - Leelawati (Defendant No.6)
 - Appellants Pushpa, Saroj Kumari, and Sudesh are daughters/legal heirs of Daya Ram.
- Property transaction:
 - In August 2007, ancestral agricultural land measuring 31 bighas 9 biswas was sold for ₹15.31 crore.
 - Sale proceeds were received by Shis Ram in his personal account.
- Suit filed (2009):
 - Dayawati sought partition, recovery of ₹45 lakh with interest, and injunction against her parents and siblings.
 - Claimed entitlement to her share in the sale proceeds.
- Written statement (2010):
 - Daya Ram admitted receipt of ₹3 crores from the sale proceeds.

- This admission became the basis for recovery proceedings.

Facts in Issue

- Whether Dayawati was entitled to a share in the ancestral property sale proceeds.
- Whether the High Court was correct in decreeing recovery against Daya Ram based on his admission in written statement.
- Whether the appellants (legal heirs of Daya Ram) could avoid liability after his death.

Court's Reasoning

- The High Court had already passed a preliminary decree (2011) granting equal shares to all parties.
- Later modified to 1/6th share each after Leelawati relinquished her rights.
- Daya Ram's written admission of receiving ₹3 crores was binding and formed the basis of liability.
- The Supreme Court held that the High Court rightly exercised revisional jurisdiction under Article 227 to decree recovery.
- The appellants, being legal heirs of Daya Ram, were liable to satisfy the decree.

Final Holding

- Appeal dismissed.
- Supreme Court upheld the Delhi High Court's decree dated 16.04.2019.
- Directed recovery of ₹44,79,167 with interest against Daya Ram's estate/legal heirs.

5. Darubai & Anr. Vs. Kamalabai & Ors.:2026 INSC 613

Facts of the Case

- Parties:
 - Appellants: Darubai & another.
 - Respondents: Kamalabai & others.
- Dispute: Concerns succession rights over agricultural land and property in Maharashtra.
- Background:
 - The property originally belonged to the father of the parties.
 - After his death, disputes arose between the daughters (respondents) and the widow/other heirs (appellants).
 - The appellants claimed exclusive ownership, while the respondents asserted their inheritance rights under the Hindu Succession Act, 1956 (as amended in 2005).
- Trial Court: Dismissed the daughters' claim, holding that they were not entitled to a share.

- First Appellate Court: Reversed the trial court, recognizing the daughters' equal rights.
- High Court: Affirmed the appellate court's decree.

Facts in Issue

1. Whether the daughters (respondents) were entitled to equal share in ancestral property under the Hindu Succession Act.
2. Whether the appellants could deny succession rights by relying on customary law or prior partition claims.
3. Whether the High Court was justified in affirming the decree of partition in favor of the daughters.

Court's Reasoning

- The Supreme Court emphasized the 2005 amendment to the Hindu Succession Act, which grants daughters equal coparcenary rights in ancestral property.
- The appellants failed to prove any valid partition prior to the amendment.
- Customary law arguments were rejected, as statutory law overrides customs in matters of succession.
- The Court reiterated that gender equality in succession is the legislative intent, and daughters cannot be deprived of their rightful share.

Final Holding

- Appeal dismissed.
- The Supreme Court upheld the High Court's decree granting the daughters (respondents) their equal share in the property.
- Confirmed that Darubai & another (appellants) cannot claim exclusive ownership.

6. Shephali Chakraborty vs. The State Of West Bengal: 2026 INSC 621

Facts of the Case

- Petitioner: Shephali Chakraborty.
- Respondent: The State of West Bengal.
- Background:
 - The case arose from a service-related dispute involving the petitioner's claim to appointment/regularization in a government post.
 - Shephali Chakraborty alleged that despite fulfilling eligibility criteria and having been engaged for a long period, she was denied proper consideration for appointment.
 - The State contended that her engagement was purely contractual/temporary and did not confer any right to regularization.

Facts in Issue

1. Whether the petitioner had a legal right to regularization/appointment under service law principles.
2. Whether the State of West Bengal acted arbitrarily in denying her claim.
3. Whether the High Court was justified in dismissing her writ petition.

Court's Reasoning

- The Supreme Court examined precedents on regularization of temporary/contractual employees.
- Reiterated that long service alone does not create a right to regularization unless statutory rules or schemes provide for it.
- The petitioner failed to establish any statutory entitlement or violation of equality principles under Article 14.
- The High Court's dismissal was found to be correct, as the claim was not supported by law.

Final Holding

- Appeal dismissed.
- Supreme Court upheld the High Court's order, confirming that the petitioner had no enforceable right to regularization or appointment.
- The State's action was not arbitrary, as her engagement was contractual in nature.

7. Dr. Ramesh v. State of Maharashtra: 2026 INSC 635-

the Supreme Court dismissed the doctor's appeal and upheld criminal proceedings under the PCPNDT Act, ruling that incomplete Form 'F' records are not trivial clerical errors but serious violations that enable sex-selective practices. The Court confirmed that the District Civil Surgeon was a valid "Appropriate Authority" and directed that the appellant must face trial.

Facts of the Case

- Appellant: Dr. Ramesh, a medical professional running a sonography center in Maharashtra.
- Respondents: State of Maharashtra & Anr.
- Background:
 - In March 2016, authorities conducted a search and seizure at Dr. Ramesh's clinic.
 - His sonography machine was sealed and registration suspended due to alleged violations of the Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (PCPNDT Act).
 - The violations related to incomplete and deficient entries in mandatory Form 'F' records, which track details of prenatal diagnostic procedures.
 - A criminal complaint was filed, and the Judicial Magistrate, Ardhapur, took cognizance on 9 June 2016 (RCC No. 16 of 2016).

Facts in Issue

1. Whether the District Civil Surgeon was legally competent to act as the “Appropriate Authority” under the PCPNDT Act.
2. Whether omissions in Form ‘F’ records were minor clerical errors or serious statutory violations.
3. Whether the criminal proceedings initiated against Dr. Ramesh should be quashed.

Court’s Reasoning

- Authority: The Court held that pursuant to a valid state notification, the District Civil Surgeon was duly empowered to act as the Appropriate Authority.
- Form ‘F’ Compliance:
 - The Court relied on *FOGSI v. Union of India (2019)*, which established that Form ‘F’ maintenance is a mandatory statutory obligation.
 - Incomplete records are not trivial slips but a “springboard” for female foeticide, undermining the Act’s purpose.
- Public Interest: The Court emphasized that strict enforcement of the PCPNDT Act is essential to combat patriarchal bias and safeguard the right to life of the girl child.
- Outcome: The appeal was dismissed, clearing the way for Dr. Ramesh to face trial.

Final Holding

- Appeal dismissed.
- Criminal proceedings under Section 23 of the PCPNDT Act to continue.
- Incomplete Form ‘F’ records treated as serious violations, not clerical errors.
- District Civil Surgeon confirmed as valid Appropriate Authority.

8. Sonu Jaysawal v. State of Uttar Pradesh: 2026 INSC 622

Facts of the Case

- Appellant: Sonu Jaysawal.
- Respondent: State of Uttar Pradesh.
- Background:
 - The appellant was prosecuted under the Protection of Children from Sexual Offences Act, 2012 (POCSO Act).
 - Allegations involved sexual assault on a minor girl.
 - The Trial Court convicted the appellant and sentenced him under relevant provisions of the POCSO Act.
 - The conviction was upheld by the High Court.
 - The appellant challenged the conviction before the Supreme Court, arguing inconsistencies in the victim’s testimony and lack of corroborative evidence.

Facts in Issue

1. Whether the testimony of the minor victim was credible and sufficient to sustain conviction under the POCSO Act.
2. Whether absence of corroborative medical or independent evidence weakened the prosecution's case.
3. Whether the Trial Court and High Court rightly convicted the appellant.

Court's Reasoning

- The Supreme Court reiterated that in sexual offence cases, the testimony of the victim, if found credible and trustworthy, is sufficient for conviction even without corroboration.
- Minor inconsistencies in the victim's statement do not affect the core truth of the allegations.
- The Court emphasized the protective intent of the POCSO Act, which requires courts to adopt a sensitive approach in evaluating evidence.
- The appellant's defense was found weak and unable to dislodge the prosecution's case.

Final Holding

- Appeal dismissed.
- Conviction and sentence under the POCSO Act upheld.
- The Court confirmed that the victim's testimony was reliable and sufficient to sustain conviction.

9. Gopi Chand @ Pappu v. State (NCT of Delhi): 2026 INSC 598

Facts of the Case

- Appellant: Gopi Chand @ Pappu.
- Respondent: State (NCT of Delhi).
- Background:
 - The appellant was accused of committing offences under the Indian Penal Code (IPC) and the Arms Act.
 - He was arrested in Delhi with alleged recovery of a firearm.
 - The Trial Court convicted him based on recovery evidence and witness testimony.
 - The conviction was upheld by the Delhi High Court.
 - The appellant challenged the conviction before the Supreme Court, arguing that the recovery was doubtful and procedural safeguards were violated.

Facts in Issue

1. Whether the recovery of the firearm was proven beyond reasonable doubt.
2. Whether the prosecution complied with mandatory procedural safeguards under the Arms Act.

3. Whether the conviction could be sustained solely on police testimony without independent corroboration.

Court's Reasoning

- The Supreme Court examined the chain of custody and the manner in which the firearm was allegedly recovered.
- It noted inconsistencies in the prosecution's case, including lack of independent witnesses at the time of recovery.
- The Court reiterated that in criminal law, suspicion cannot substitute proof.
- Procedural lapses in seizure and documentation weakened the prosecution's case.
- Benefit of doubt must go to the accused when recovery evidence is shaky.

Final Holding

- Appeal allowed.
- Conviction under the Arms Act and IPC set aside.
- The appellant was acquitted, as prosecution failed to prove guilt beyond reasonable doubt.

10. Ishwar Chand Sharma v. State of Uttar Pradesh: 2026 INSC 587

Facts of the Case

- Appellant: Ishwar Chand Sharma.
- Respondent: State of Uttar Pradesh.
- Background:
 - The appellant was prosecuted for offences under the Indian Penal Code (IPC) relating to murder and unlawful assembly.
 - The case arose from a violent incident in which one person was killed and others injured.
 - The Trial Court convicted the appellant along with co-accused, sentencing them to life imprisonment.
 - The conviction was upheld by the Allahabad High Court.
 - The appellant challenged the conviction before the Supreme Court, arguing that his role was not established and that he was falsely implicated.

Facts in Issue

1. Whether the prosecution proved the appellant's active participation in the crime beyond reasonable doubt.
2. Whether the conviction could be sustained based on eyewitness testimony despite alleged inconsistencies.
3. Whether the High Court rightly upheld the Trial Court's findings.

Court's Reasoning

- The Supreme Court examined the eyewitness accounts, which consistently implicated the appellant.
- Minor discrepancies in witness statements were held to be natural and not sufficient to discredit the core evidence.
- The medical evidence corroborated the prosecution's version of events.
- The appellant's defense of false implication was rejected, as no motive for fabrication was shown.
- The Court reiterated that in cases of unlawful assembly and murder, individual roles may vary, but collective liability under Sections 302/149 IPC applies when participation is proven.

Final Holding

- Appeal dismissed.
- Conviction and life sentence under Section 302 read with Section 149 IPC upheld.
- The Supreme Court confirmed that the appellant was rightly convicted based on credible eyewitness and corroborative evidence.